

BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
63rd LEGISLATURE - REGULAR SESSION**

HOUSE FISH, WILDLIFE AND PARKS COMMITTEE

Date: Tuesday, January 15, 2013
Place: Capitol

Time: 3:00 PM
Room: 152

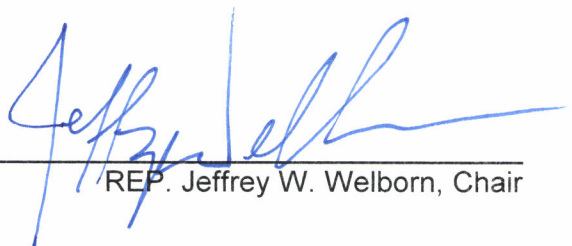
BILLS and RESOLUTIONS HEARD:

HB 26 - Allow lightednock on arrows while big game hunting
HB 33 - Revising large predator laws
HB 62 - Authorize FWP commission to require barbless hooks in catch-and-release waters

EXECUTIVE ACTION TAKEN:

HB 73 - Do Pass as Amended

Comments:



REP. Jeffrey W. Welborn, Chair

HOUSE OF REPRESENTATIVES
Roll Call
FISH, WILDLIFE, AND PARKS COMMITTEE

DATE: 1/15/2013

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/EXCUSED</u>
REP. DOUG KARY, VICE CHAIR	X	
REP. FRANKE WILMER, VICE CHAIR	X	
REP. GORDON VANCE		X
REP. CARLIE BOLAND	X	
REP. PAT CONNELL	X	
REP. JP POMNICHOWSKI	X	
REP. EDWARD GREEF	X	
REP. VIRGINIA COURT	X	
REP. KERRY WHITE	X	
REP. BRIDGET SMITH	X	
REP. WENDY WARBURTON	X	
REP. ALAN DOANE	X	
REP. ED LIESER	X	
REP. KELLY FLYNN	X	
REP. TOM JACOBSON		X
REP. BRIAN HOVEN	X	
REP. JEAN PRICE	X	
REP. KIRK WAGONER	X	
REP. RAY SHAW	X	
REP. TED WASHBURN		X
REP. JEFFERY WELBORN, CHAIR	X	



HOUSE STANDING COMMITTEE REPORT

January 15, 2013

Page 1 of 3

Mr. Speaker:

We, your committee on **Fish, Wildlife and Parks** recommend that **House Bill 73** (first reading copy -- white) **do pass as amended.**

Signed: _____

Representative Jeffrey W. Welborn, Chair

And, that such amendments read:

1. Title, page 1, line 5.

Following: "LAWS;"

Insert: "CLARIFYING COMMISSION AUTHORITY TO CLOSE A SEASON;"

2. Title, page 1, line 6.

Following: "LICENSES"

Insert: "AND CLARIFYING THEIR USE"

3. Title, page 1, line 9.

Following: "SECTIONS"

Insert: "87-1-304,"

Following: "87-2-104,"

Insert: "87-2-523,"

4. Page 1, line 13.

Insert: "**Section 1.** Section 87-1-304, MCA, is amended to read:

"87-1-304. Fixing of seasons and bag and possession limits.

(1) Subject to the provisions of 87-5-302 and subsection (7) of this section, the commission may:

(a) fix seasons, bag limits, possession limits, and season limits;

(b) open or close or shorten or lengthen seasons on any species of game, bird, fish, or fur-bearing animal as defined by 87-2-101;

(c) declare areas open to the hunting of deer, antelope, elk, moose, sheep, goat, mountain lion, bear, wild buffalo or bison, and wolf by persons holding an archery stamp and the

Committee Vote:

Yes 21, No 0

Fiscal Note Required ☐

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required license, permit, or tag and designate times when only bows and arrows may be used to hunt deer, antelope, elk, moose, sheep, goat, mountain lion, bear, wild buffalo or bison, and wolf in those areas;

(d) subject to the provisions of 87-1-301(7), restrict areas and species to hunting with only specified hunting arms, including bow and arrow, for the reasons of safety or of providing diverse hunting opportunities and experiences; and

(e) declare areas open to special license holders only and issue special licenses in a limited number when the commission determines, after proper investigation, that a special season is necessary to ensure the maintenance of an adequate supply of game birds, fish, or animals or fur-bearing animals. The commission may declare a special season and issue special licenses when game birds, animals, or fur-bearing animals are causing damage to private property or when a written complaint of damage has been filed with the commission by the owner of that property. In determining to whom special licenses must be issued, the commission may, when more applications are received than the number of animals to be killed, award permits to those chosen under a drawing system. The procedures used for awarding the permits from the drawing system must be determined by the commission.

(2) The commission may adopt rules governing the use of livestock and vehicles by archers during special archery seasons.

(3) Subject to the provisions of 87-5-302 and subsection (7) of this section, the commission may divide the state into fish and game districts and create fish, game, or fur-bearing animal districts throughout the state. The commission may declare a closed season for hunting, fishing, or trapping in any of those districts and later may open those districts to hunting, fishing, or trapping.

(4) The commission may declare a closed season on any species of game, fish, game birds, or fur-bearing animals threatened with undue depletion from any cause. The commission may close any area or district of any stream, public lake, or public water or portions thereof to hunting, trapping, or fishing for limited periods of time when necessary to protect a recently stocked area, district, water, spawning waters, spawn-taking waters, or spawn-taking stations or to prevent the undue depletion of fish, game, fur-bearing animals, game birds, and nongame birds. The commission may open the area or district upon consent of a majority of the property owners affected.

(5) The commission may authorize the director to open or close any special season upon 12 hours' notice to the public.

(6) The commission may declare certain fishing waters closed to fishing except by persons under 15 years of age. The purpose of this subsection is to provide suitable fishing waters for the exclusive use and enjoyment of juveniles under 15 years of age, at times and in areas the commission in its discretion considers advisable and consistent with its policies relating to

fishing.

(7) In an area immediately adjacent to a national park, the commission may not:

(a) prohibit the hunting or trapping of wolves; or

(b) close the area to wolf hunting or trapping unless a wolf harvest quota established by the commission for that area has been met."

Renumber: subsequent sections

5. Page 2, line 5.

Insert: "Section 3. Section 87-2-523, MCA, is amended to read:

"87-2-523. **Class E-1--resident wolf license.** (1) Except as otherwise provided in this chapter, a person who is a resident, as defined in 87-2-102, and who is 12 years of age or older or who will turn 12 years old before or during the season for which the license is issued, upon payment of a fee of \$19, may receive a Class E-1 license that entitles a holder who is 12 years of age or older to hunt a wolf and possess the carcass of the wolf as authorized by commission rules.

(2) A person who purchases a license pursuant to this section after August 31 may not use the license until 24 hours after the license is issued.

~~(2)~~(3) Fees collected pursuant to this section must be deposited and used in accordance with 87-1-623."

Renumber: subsequent sections

6. Page 2.

Following: line 11

Insert: "(2) A person who purchases a license pursuant to this section after August 31 may not use the license until 24 hours after the license is issued."

Renumber: subsequent subsections

- END -

HOUSE OF REPRESENTATIVES
Roll Call Vote
FISH, WILDLIFE, AND PARKS COMMITTEE

DATE: 1/15/2013 BILL NO HB 73 MOTION NO. 3
 MOTION: HB 73 Be Amended

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DOUG KARY, VICE CHAIR	X		
REP. FRANKE WILMER, VICE CHAIR		X	
REP. GORDON VANCE	X		X
REP. CARLIE BOLAND		X	
REP. PAT CONNELL	X		
REP. JP POMNICHOWSKI		X	
REP. EDWARD GREEF	X		
REP. VIRGINIA COURT		X	
REP. KERRY WHITE	X		
REP. BRIDGET SMITH		X	
REP. WENDY WARBURTON	X		
REP. ALAN DOANE	X		
REP. ED LIESER		X	
REP. KELLY FLYNN	X		
REP. TOM JACOBSON		X	X
REP. BRIAN HOVEN		X	
REP. JEAN PRICE		X	
REP. KIRK WAGONER	X		
REP. RAY SHAW	X		
REP. TED WASHBURN	X		X
REP. JEFFERY WELBORN, CHAIR	X		

HOUSE OF REPRESENTATIVES
Roll Call Vote
FISH, WILDLIFE, AND PARKS COMMITTEE

DATE: 1/15/2013 BILL NO HB 73 MOTION NO. 5
 MOTION: Do Pass as amended

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DOUG KARY, VICE CHAIR	X		
REP. FRANKE WILMER, VICE CHAIR	X		
REP. GORDON VANCE	X		X
REP. CARLIE BOLAND	X		
REP. PAT CONNELL	X		
REP. JP POMNICHOWSKI	X		
REP. EDWARD GREEF	X		
REP. VIRGINIA COURT	X		
REP. KERRY WHITE	X		
REP. BRIDGET SMITH	X		
REP. WENDY WARBURTON	X		
REP. ALAN DOANE	X		
REP. ED LIESER	X		
REP. KELLY FLYNN	X		
REP. TOM JACOBSON	X		X
REP. BRIAN HOVEN	X		
REP. JEAN PRICE	X		
REP. KIRK WAGONER	X		
REP. RAY SHAW	X		
REP. TED WASHBURN	X		X
REP. JEFFERY WELBORN, CHAIR	X		

**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the

FNP

Committee because of other commitments. I desire to leave my proxy vote with:

Representative White

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

HB007302 AHS	X	
HB007303 AHS	X	

BILL/AMENDMENT

AYE NO

HB 73	X	

Rep.

(Signature)

Date

**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the FWP

Committee because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

AYE NO

AYE NO

[illegible]

Rep. Ted Workburn
(Signature)

Date 1/15/13

AUTHORIZED COMMITTEE PROXY

I request to be excused from the FWP

Committee because of other commitments. I desire to leave my proxy vote with:

Frank W. Winer

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

[illegible]

Rep. _____
(Signature)

Date _____

MONTANA House of Representatives

HOUSE FISH, WILDLIFE AND PARKS COMMITTEE

HB 33 - Revising large predator laws

Tuesday, January 15, 2013

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA House of Representatives

HOUSE FISH, WILDLIFE AND PARKS COMMITTEE

HB 62 - Authorize FWP commission to require barbless hooks in catch-and-release waters

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA House of Representatives

Visitors Register

HOUSE FISH, WILDLIFE AND PARKS COMMITTEE

Tuesday, January 15, 2013

HB 26 - Allow lighted nock on arrows while big game hunting

Sponsor: **Representative Ted Washburn**

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

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